

# Chapter 7

## Additional Reports

In addition to the reports discussed in Chapter 6, other special reports may be required depending on a committee's activity, including:

- Supplemental Independent Expenditure Reports (Form 465)
- Supplemental Pre-election Reports (Forms 460 and 495)
- Late Independent Expenditure Reports (Form 496)
- Late Contribution Reports (Form 497)
- Paid Spokesperson Reports (Form 511)
- Special Odd-year Reports (Form 460)
- Reports of Communications Identifying State Candidates (Form E-530)

Each report is discussed in detail in the following pages.

| Your Committee  | File       |
|---|------------|
| Makes independent expenditures of \$1,000 or more to support or oppose a single candidate or ballot measure   | Form 465   |
| Makes contribution(s) totaling \$10,000 or more to <b>state</b> officeholders during the first or third quarter of an odd-numbered year   | Form 460   |
| Makes contributions of \$10,000 or more in connection with a local or special state election  | Form 495   |
| Makes independent expenditures of \$1,000 or more to support or oppose a single candidate or ballot measure during the 16 days before the candidate or measure's election   | Form 496   |
| Receives contributions totaling \$1,000 or more from a single source during the 16 days before your election  | Form 497   |
| Makes contributions totaling \$1,000 or more to a candidate or ballot measure committee during the 16 days before the candidate or measure's election, or to a state or county political party committee during the 16 days before a state election | Form 497   |
| Makes expenditures of \$5,000 or more for an individual to appear in a ballot measure advertisement   | Form 511   |
| Makes payments of \$50,000 or more to "feature" a <b>state</b> candidate 45 days before an election   | Form E-530 |

## Supplemental Independent Expenditure Report (Form 465)

See Chapter 3 for the definition of “independent expenditure.” Reminder: Candidates may not use campaign funds to make independent expenditures to support or oppose other candidates.

A Supplemental Independent Expenditure Report (Form 465) is filed when a candidate or committee makes an independent expenditure of \$1,000 or more to support or oppose a single candidate or a single measure. Although candidates may not use campaign funds to make independent expenditures to support or oppose other candidates, they may be required to file Form 465 if personal funds are used to make independent expenditures to support or oppose a single candidate or ballot measure.

**Form 465 must be filed in addition to any preelection or semi-annual campaign statements the candidate or committee is required to file.** Independent expenditures disclosed on Form 465 also must be disclosed on the candidate or committee’s campaign statements (Form 450/460, or Form 461 if personal funds are spent).

Form 465 is required only if \$1,000 or more is spent to support or oppose a **single** candidate or measure. If a communication features more than one candidate or measure, the Form 465 is filed only if \$1,000 or more was expended on each candidate or measure featured. A separate Form 465 must be filed for each candidate supported or opposed.

A committee primarily formed to support or oppose candidates must file Form 465 if it makes an independent expenditure of \$1,000 or more to support or oppose any of those candidates.

**(Example)** *Your committee mails a flyer asking the voters to vote for the three candidates for which your committee is*

*primarily formed. The flyer is **not** done at the behest of any of the candidates named. The total cost of the mailing, including postage, amounts to \$4,850. Because the amount attributable to each candidate is \$1,000 or more, you must file Form 465 for each candidate.*

If a candidate sends out a communication opposing his or her opponent, the candidate has not made an independent expenditure. (See Chapter 3.)

### When to File

File Form 465 at the same time(s) the candidate or ballot measure committee being supported or opposed is required to file statements, including the semi-annual deadline following the election if independent expenditures are made after the end of the second preelection reporting period.

**(Example)** *During the second preelection reporting period, your controlled committee for mayor made an independent expenditure by spending \$1,150 to print brochures supporting Measure C in Del Sol County. The second preelection statement in connection with the ballot measure is due on April 12. Your committee must file a Form 465 with the Registrar of Voters in Del Sol County by April 12 as well.*

If an independent expenditure of \$1,000 or more is made during the last 16 days before an election in which the candidate or measure being supported or opposed is to be voted on, a Late Independent Expenditure Report (Form 496) will also have to be filed within 24 hours. (Also see Form 496 discussion later in this chapter.)

### Where to File

#### Candidate Controlled Committees

File Form 465 in the same location(s) as for a committee primarily formed to support or

oppose the ballot measure identified in the communication. This is so the voters in the affected jurisdiction have access to reports showing who has spent funds in an attempt to influence the voters there. A separate Form 465 must be filed for each ballot measure supported or opposed.

general purpose committee. Contact the FPPC for more information.)

A separate Form 465 must be filed for each candidate or measure supported or opposed.

**Example** *The Committee for Ernest Bert is domiciled in Palos County.*

*Because it made an independent expenditure of \$1,400 supporting a Del Sol County ballot measure, it files the Form 465 with the Del Sol County Registrar of Voters and the Registrar of Voters in Palos County.*

### Primarily Formed Committees

The Form 465 is filed in the same places where the committee files its regular campaign reports (Form 450/460).

**Example** *Friends of Sarah Greene is primarily formed to support her candidacy for Verde County supervisor. The committee's address is in Sacramento County. Friends makes an independent expenditure of \$1,200 supporting Greene five days before the November election. Friends must file Form 465 with the Registrars of Voters in Verde County and Sacramento County by the January 31 deadline for filing the semiannual campaign statement. These are the same locations where the committee must file a Late Independent Expenditure Report (Form 496) disclosing the independent expenditure, and its regular campaign reports (Form 460).*

If the committee makes independent expenditures to support or oppose candidates **other than those for whom it is primarily formed**, or to support/oppose ballot measures, Form 465 is filed in the same places as a committee primarily formed to support/oppose the candidate or measure identified in the communication. (In addition, the committee may now qualify as a

## Chapter 7 — Additional Reports

### Form 465

| Supplemental Independent Expenditure Report<br>(Government Code Section 84203.5)                                    |  | Type or print in ink.<br>Amounts may be rounded to<br>whole dollars. |  | Report covers period<br>from <u>7/1/20XX</u><br>through <u>9/30/20XX</u><br>Date of election if applicable:<br>(Month, Day, Year)<br><u>11/7/20XX</u> |                              | Date Stamp                                   |   | CALIFORNIA<br>FORM <b>465</b><br>Page <u>1</u> of <u>2</u><br>For Official Use Only |  |
|---|--|--|--|---|------------------------------|--|---|---|--|
| SEE INSTRUCTIONS ON REVERSE   |  | <input type="checkbox"/> Amendment (Explain Below)                   |  |   |                              |  |   |   |  |
| <b>1. Committee/Filer Information</b>   |  | I.D. NUMBER (If recipient committee)<br><u>1001234</u>               |  | <b>Treasurer (If recipient committee)</b>   |                              |  |   |   |  |
| COMMITTEE/FILER'S NAME<br><u>Committee to Elect Waters Mayor</u>  |  |  |  | NAME OF TREASURER<br><u>Ben Rogers</u>  |                              |  |   |   |  |
| STREET ADDRESS (NO P.O. BOX)<br><u>10 Parkway Plaza</u>   |  |  |  | MAILING ADDRESS<br><u>10 Parkway Plaza</u>  |                              |  |   |   |  |
| CITY<br><u>Playa del Sol</u>  | STATE<br><u>CA</u>   | ZIP CODE<br><u>95888</u>   | AREA CODE/PHONE<br><u>555/333-5432</u> |   | CITY<br><u>Playa del Sol</u> |  | STATE<br><u>CA</u>  | ZIP CODE<br><u>95888</u>  | AREA CODE/PHONE<br><u>555/333-5432</u> |
| OPTIONAL: FAX / E-MAIL ADDRESS<br><u>Brogers@jps.net</u>  |  |  |  | OPTIONAL: FAX / E-MAIL ADDRESS<br><u>Brogers@jps.net</u>  |                              |  |   |   |  |
| <b>2. Name of Candidate or Measure Supported or Opposed</b>   |  |  |  |   |                              |  |   |   |  |
| NAME OF CANDIDATE   |  |  |  | OFFICE SOUGHT OR HELD AND DISTRICT, IF APPLICABLE   |                              |  |   | CHECK ONE<br>SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>       |  |
| NAME OF BALLOT MEASURE<br><u>Bike Lanes for Playa del Sol</u>   |  |  |  | BALLOT NO./LETTER<br><u>C</u>   |                              | JURISDICTION<br><u>City of Playa del Sol</u> |   | SUPPORT <input checked="" type="checkbox"/> OPPOSE <input type="checkbox"/>         |  |
| <b>3. Independent Expenditures Made</b> Attach additional information on appropriately labeled continuation sheets. |  |  |  |   |                              |  |   |   |  |
| DATE  | NAME AND ADDRESS OF PAYEE  |  | DESCRIPTION OF EXPENDITURE             |   | AMOUNT                       |  | CUMULATIVE TO DATE<br>CALENDAR YEAR<br>(JAN. 1 - DEC. 31) |   |  |
| <u>11/1/XX</u>  | <u>Beach City News<br/>1500 J Street<br/>Playa del Sol, CA 95888</u> |  | <u>Newspaper Ad</u>                    |   | <u>\$1,265</u>               |  | <u>\$1,265</u>  |   |  |

### How to Complete Form 465

#### Period Covered

The "period covered" by this report begins the day after the closing date of the most recent Form 465 filed related to the candidate or measure supported or opposed.

If this is the first Form 465 filed for the current year for a particular candidate or measure, the period covered begins January 1. The closing date of the period covered is the closing date for the current campaign statement being filed for the candidate or measure. For example, if the independent expenditure was made during the first preelection period, the Form 465 would cover the period through the closing date for the first preelection statement filed by the candidate or measure identified in the communication.

#### Filer Information

Provide the committee's full name, street address, city, state, zip code, telephone number, and identification number. Also list the name, address, and telephone number of the committee's treasurer and assistant treasurer, if any.

### Name of Candidate or Measure Supported or Opposed

Report the name of the candidate supported or opposed and the office the candidate is seeking, including the district number, if applicable. Or, report the name of the ballot measure supported or opposed by the independent expenditure, including the ballot number or letter and the jurisdiction of the election. Indicate whether the independent expenditure supported or opposed the candidate or ballot measure.

### Independent Expenditures Made

Provide the date, name and address of the payee, along with a short description of the expenditure, its amount, and the cumulative amount expended to date on the candidate or measure supported or opposed.

### Summary

Complete the summary section by entering the total of all independent expenditures of \$100 or more made during the period for the candidate or ballot measure, the total of all independent expenditures of under \$100

## Form 465 Page 2

| Supplemental Independent Expenditure Report  |  | Type or print in ink.<br>Amounts may be rounded to whole dollars.  |                           | SUPPLEMENTAL INDEPENDENT EXPENDITURE              |                 |
|--|--|--|---------------------------|---|-----------------|
| SEE INSTRUCTIONS ON REVERSE  |  | Report covers period<br>from <u>7/1/20XX</u><br>through <u>9/30/20XX</u>                                       |                           | CALIFORNIA<br>FORM <b>465</b>                     |                 |
| NAME OF FILER<br><u>Committee to Elect Waters Mayor</u>  |  | Page <u>2</u> of <u>2</u>  |                           | I.D. NUMBER (if recipient com.)<br><u>1001234</u> |                 |
| <b>4. Summary</b>  |  |  |                           |   |                 |
| 1. Total independent expenditures of \$100 or more made this period. (Part 3.) .....   |  |  |                           | \$  | <u>1,265</u>    |
| 2. Total independent expenditures under \$100 made this period. (Not itemized.) .....  |  |  |                           | \$  | <u>0</u>        |
| 3. Total independent expenditures made this period (Add Lines 1 + 2.) .....  |  |  |                           | <b>TOTAL</b>                                      | \$ <u>1,265</u> |
| <b>5. Filing Officers</b> Enter the name and address of each filing officer with whom the filer's most recent campaign statements (Form 450, 460 or 461) have been filed.  |  |  |                           |   |                 |
| 1) NAME OF FILING OFFICER<br><u>City Clerk, Playa del Sol</u>  |  |  | 3) NAME OF FILING OFFICER |   |                 |
| ADDRESS (NO. AND STREET)<br><u>500 Playa del Sol Way</u>   |  |  | ADDRESS (NO. AND STREET)  |   |                 |
| CITY STATE ZIP CODE<br><u>Playa del Sol CA 95888</u>   |  |  | CITY STATE ZIP CODE       |   |                 |
| 2) NAME OF FILING OFFICER  |  |  | 4) NAME OF FILING OFFICER |   |                 |
| ADDRESS (NO. AND STREET)   |  |  | ADDRESS (NO. AND STREET)  |   |                 |
| CITY STATE ZIP CODE  |  |  | CITY STATE ZIP CODE       |   |                 |
| <b>6. Verification</b>   |  |  |                           |   |                 |
| I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. |  |  |                           |   |                 |
| Executed on <u>[Date Required]</u>   |  | By <u>[Signature Required]</u>   |                           |   |                 |
| DATE   |  | SIGNATURE OF TREASURER OR ASSISTANT TREASURER  |                           |   |                 |
| Executed on <u>[Date Required]</u>   |  | By <u>[Signature Required]</u>   |                           |   |                 |
| DATE   |  | SIGNATURE OF CONTROLLING OFFICER/HOLDER, CANDIDATE, STATE MEASURE PROPONENT, OR RESPONSIBLE OFFICER OF SPONSOR |                           |   |                 |

made during the period, and the total for both.

### Filing Officers

Enter the title and address of each filing officer with whom the committee files its regular preelection or semi-annual statements.

### Verification

The Form 465 is not considered filed if it is not signed.

### Amendments

To amend a previously filed Form 465, file another Form 465 with the "Amendment" box checked and the corrected or missing information included. There is no deadline for filing amendments. However, amendments should be filed as soon as practicable. File the amendment in the same location(s) as the original.

### Answering Your Questions

Q. Is an officeholder or candidate who files a Campaign Statement-Short Form (Form

470) still required to file a Form 465 if he or she spends \$1,000 or more in personal funds on an independent expenditure to support/oppose another candidate or ballot measure?

- A. Yes. He or she must file the Form 465 to report this activity.
- Q. Is an independent expenditure reportable by the committee for the candidate or the ballot measure named in the communication?
- A. No. Because the communication is not **made at the behest** of the candidate or ballot measure committee, that is, without its coordination, control, or suggestion, the expenditure for the communication is only reported by the person making it.
- Q. Is a candidate's controlled committee making an independent expenditure when it pays for a communication that supports the controlling candidate and supports or opposes a ballot measure listed on the same ballot or a communication opposing the controlling candidate's opponent?



- A. No. These types of expenditures are considered promoting one's own election.
- Q. *May a committee pro-rate the value of a communication that contains both an independent expenditure and a non-political message?*
- A. Yes. The committee should value the independent expenditure as the portion of the costs directly associated with sending the message that expressly advocates election or defeat of a candidate or measure.

### Supplemental Preelection Campaign Statement (Form 495)

A Supplemental Preelection Campaign Statement (Form 495) must be filed if:

- The committee makes contributions totaling \$10,000 or more to any number of candidates or committees primarily formed to support or oppose candidates or measures all being voted upon in one jurisdiction on the same day, **and**
- The contributions were made during the period beginning six months prior to the recipient's election and ending 17 days before the election.

Form 495, covering the period beginning six months prior to the election through 17 days before the election, is filed as an attachment to a campaign statement (Form 450 or 460). The period covered by the Form 450 or 460 begins the day after the closing date of the most recent campaign statement filed through 17 days before the election.

Form 495 is not required during any semi-annual period in which the committee is required to file regular preelection statements or if all the information that would be reported on the Form 495 is reported on a semi-annual statement or Special Odd-Year Campaign Report already on file. (See the section on Special Odd-Year Campaign Report later in this chapter.)

**Examples** *Two months before her November election, Megan Waters, candidate for mayor in the city of Playa del Sol, makes a \$4,500 contribution to the Committee to Support Bike Lanes, Yes on Measure C, and contributes \$3,000 each to two candidates running for city council, all in the city of Playa del Sol. Since Megan Waters must file a preelection campaign statement in connection with her own election, it is not necessary that she also file Form 495.*

*One month before an April ballot measure election held in an odd-numbered year, an incumbent county supervisor makes a contribution of \$12,000 to the committee primarily formed to support the measure. The supervisor's committee must file Form 495 attached to its Form 460 no later than 12 days before the April election. The Form 495 will disclose the \$12,000 contribution and the Form 460 will disclose all contributions received and expenditures made by the supervisor's committee, including the \$12,000 contribution, since the last Form 460 was filed. Both forms are filed where the supervisor regularly files his campaign statements, i.e., his county's registrar of voters.*

### When to File

File Form 495, attached to the committee's Form 450 or 460, no later than 12 days before the recipient's election. The reports must be sent by guaranteed overnight delivery or personal delivery.

### Where to File

File Form 495 and the campaign statement with each office where the committee is required to file its regular campaign statements.

If the committee made contributions of \$10,000 or more in connection with more than one election, a separate Form 495 must be completed for each election.

## Form 495

| <b>Supplemental Preelection Campaign Statement</b><br><small>(Government Code Section 84202.5)</small>   |  | Type or print in ink.   | Date Stamp        | <b>SUPPLEMENTAL PRE-ELECTION FORM 495</b><br><small>For Official Use Only</small>  |
|--|--|---|-------------------|--|
| Check one box indicating which form is attached to this Form 495:<br><input type="checkbox"/> Form 450, Recipient Committee Campaign Statement - Short Form<br><input checked="" type="checkbox"/> Form 460, Recipient Committee Campaign Statement - Long Form                            |  | <input type="checkbox"/> Amendment (Explain Below)  |                   |  |
| <b>1. Committee Information</b>  |  | <b>Treasurer(s)</b>   |                   |  |
| I.D. NUMBER<br>1001234   |  | NAME OF TREASURER<br>Ben Rogers   |                   |  |
| COMMITTEE NAME<br>Committee to Elect Waters Mayor  |  | STREET ADDRESS<br>10 Parkway Plaza  |                   |  |
| STREET ADDRESS (NO P.O. BOX)<br>10 Parkway Plaza   |  | CITY<br>Playa del Sol   |                   |  |
| CITY<br>Playa del Sol  |  | STATE<br>CA   | ZIP CODE<br>95888 | AREA CODE/PHONE<br>555/333-5432  |
| MAILING ADDRESS (IF DIFFERENT) NO. AND STREET<br>_____   |  | NAME OF ASSISTANT TREASURER, IF ANY<br>Megan Waters   |                   |  |
| CITY<br>_____  |  | STREET ADDRESS<br>100 Sandburg Street   |                   |  |
| STATE<br>_____   |  | CITY<br>Playa del Sol   | STATE<br>CA       | ZIP CODE<br>95888  |
| AREA CODE/PHONE<br>_____   |  | AREA CODE/PHONE<br>555/333-1601   |                   |  |
| OPTIONAL: FAX / E-MAIL ADDRESS<br>Brogers@jps.net  |  | OPTIONAL: FAX / E-MAIL ADDRESS<br>_____   |                   |  |
| <b>2. Contributions Made</b>   |  |   |                   |  |
| DATE OF ELECTION (MONTH, DAY, YEAR)<br>11/7/XX   |  | JURISDICTION OF THE ELECTION<br>Imperial County   |                   | \$ 11,000 has been contributed in connection with this election during the period beginning six months prior to the election and ending 17 days before the election. |
| <b>3. Verification</b>   |  |   |                   |  |
| I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. |  |   |                   |  |
| Executed on _____<br><small>DATE</small>   |  | By _____<br><small>SIGNATURE OF TREASURER OR ASSISTANT TREASURER</small>  |                   |  |
| Executed on _____<br><small>DATE</small>   |  | By _____<br><small>SIGNATURE OF CONTROLLING OFFICER, CANDIDATE, STATE MEASURE PROPOSER, OR RESPONSIBLE OFFICER OF SPONSOR</small> |                   |  |

## How to Complete Form 495

### Committee Information

Disclose the committee's name, street address city, state, zip code, identification number, and daytime telephone number, as well as the name, address, and daytime telephone number for the committee treasurer and assistant treasurer, if any.

### Contributions Made

Enter the date and jurisdiction of the election and the total amount contributed during the period beginning six months before the election and ending 17 days before the election.

### Verification

The Form 495 is not considered filed if it is not signed.

## Amendments

To amend a previously filed Form 495, file another Form 495 with the "Amendment" box checked and the corrected or missing information included. There is no deadline for filing amendments. However, amendments should be filed as soon as practicable. File the amendment in the same location(s) as the original.

## Late Independent Expenditure Report (Form 496)

A Late Independent Expenditure Report (Form 496) must be filed if the committee makes *independent expenditures* totaling \$1,000 or more to support or oppose a **single** candidate or a **single** ballot measure during the 16 days prior to the candidate or measure's election.

(See Chapter 3 for the definition of "independent expenditure.") Reminder: Candidates may not use campaign funds to make independent expenditures that support or oppose other candidates.

**Late independent expenditure reports must be filed in addition to any preelection or semi-annual campaign statements the candidate or committee is required to file.** Late independent expenditures also must be disclosed on the candidate or committee's next campaign statement (Form 450/460), and on the Supplemental Independent Expenditure Report (Form 465).

The following are not considered independent expenditures by a candidate's controlled committee:

- Expenditures supporting the controlling candidate's election (or against his or her opponent);
- Expenditures for communications supporting the controlling candidate's election that also support or oppose other candidates or ballot measures being voted on in the same jurisdiction and election.

**(Example)** *Megan Waters for Mayor Committee distributed a flyer supporting Megan's candidacy and Henry Pellon's candidacy for city council in the same city. There was no coordination with Henry or his committee. Megan's committee has not made an independent expenditure supporting Henry.*

A primarily formed committee to support/oppose a candidate(s) that makes a late independent expenditure of \$1,000 or more to support/oppose that candidate(s), or another candidate or ballot measure, must file a late independent expenditure report.

**(Example)** *Your committee is primarily formed to support Megan Waters for mayor. Your committee is not Megan Waters' controlled committee, but is independently making expenditures to get her elected. Three days before the election, your committee, on its own and not at the behest of Ms. Waters, purchased an advertisement in a local newspaper for \$1,200 urging voters to support Waters. File a late independent expenditure report within 24 hours of making this payment.*

If the committee does not expend \$1,000 or more to support or oppose a single candidate or a single measure during the last 16 days before an election, a late independent expenditure report is not required.

**(Example)** *Ten days before an election, your committee independently spent \$1,700 on a mailing equally supporting two candidates. The mailing was done completely independent of the candidates; the value to each was \$850. Since your committee did not expend \$1,000 or more on the mailing for any one candidate, you do not need to file a late independent expenditure report.*

*Later, three days before the election, your committee independently spent \$400 on signs supporting one of the candidates listed in your earlier mailing. Because the total spent on behalf of this candidate within the last 16 days before the election was \$1,000 or more, file a Form 496.*



The committee may use either Form 496, or create its own form, as long as all of the required information is provided. A separate report must be filed for each candidate or measure supported or opposed.

### When to File

The report must be filed within 24 hours of making a late independent expenditure. An independent expenditure has been made when a communication is made, or when a payment is made in connection with the development, production, or dissemination of the communication, whichever is earlier.

### Where to File

#### Candidate Controlled Committees

The report is filed as if the committee were primarily formed to support or oppose the measure identified in the communication. This allows voters in the affected jurisdiction to have access to reports showing who has spent funds attempting to influence them. File a separate report for each ballot measure supported or opposed by fax, guaranteed overnight delivery, or personal delivery. **Regular mail may not be used.**

**Example** *A Playa del Sol city council candidate's committee makes a late independent expenditure to support a state ballot measure. Playa del Sol is located in Beach County. The committee files the late independent expenditure report with the Secretary of State, the City and County of San Francisco, Los Angeles County, and the Registrar of Voters for Beach County.*

#### Primarily Formed Committees

The report is filed in the same places the committee files its regular campaign reports (Form 450/460). However, if the committee makes independent expenditures to support or oppose candidates other than those for which it is primarily formed, or to support/

oppose ballot measures, the report should be filed in the same places as a committee primarily formed to support/oppose the candidate or measure identified in the communication. (In addition, the committee may now qualify as a general purpose committee. Contact the FPPC for more information.)

File a separate report by fax, guaranteed overnight delivery, or personal delivery for each candidate or ballot measure supported or opposed. **Regular mail may not be used.**

## Chapter 7 — Additional Reports

### Form 496

| Late Independent Expenditure Report   |  |   |  | Type or print in ink.<br>Amounts may be rounded to whole dollars. |  | LATE INDEPENDENT EXPENDITURE REPORT       |  |
|---|--|---|--|---|--|---|--|
| NAME OF FILER<br>Committee to Elect Waters Mayor  |  |   | Date of This Filing<br>11/1/20XX   | Date Stamp  | CALIFORNIA FORM 496                    |   |  |
| AREA CODE/PHONE NUMBER<br>555/333-5432  |  | I.D. NUMBER (if applicable)<br>1001234  | Report No. 1   | For Official Use Only   |  |   |  |
| STREET ADDRESS<br>10 Parkway Plaza  |  |   | <input type="checkbox"/> Amendment to Report No. (explain below)                           |   |  |   |  |
| CITY<br>Playa del Sol   | STATE<br>CA  | ZIP CODE<br>95888   | No. of Pages 2   |   |  |   |  |
| <b>1. List Only One Candidate or Ballot Measure</b>   |  |   |  |   |  |   |  |
| NAME OF CANDIDATE SUPPORTED OR OPPOSED  |  |   | NAME OF BALLOT MEASURE SUPPORTED OR OPPOSED  |   |  |   |  |
| OFFICE SOUGHT OR HELD/DISTRICT NO.  |  |   | SUPPORT  | OPPOSE  | Bike Lanes for Playa del Sol           |   |  |
|   |  |   |  |   | BALLOT NO./LETTER<br>C                 | JURISDICTION<br>City of Playa del Sol     |  |
|   |  |   |  |   | SUPPORT<br>X                           | OPPOSE                                    |  |
| <b>2. Independent Expenditures Made</b> Attach additional information on appropriately labeled continuation sheets. |  |   |  |   |  |   |  |
| DATE  | DESCRIPTION OF EXPENDITURE   |   |  |   | AMOUNT                                 |   |  |
| 11/1/XX   | Newspaper Ad   |   |  |   | \$1,265                                |   |  |
| Reason for Amendment:   |  |   |  |   |  |   |  |
|   |  |   |  |   |  |   |  |
|   |  |   |  |   |  |   |  |
| <b>Late Independent Expenditure Report</b>  |  |   |  |   |  |   |  |
| NAME OF FILER<br>Committee to Elect Waters Mayor  |  |   |  |   | CALIFORNIA FORM 496                    |   |  |
|   |  |   |  |   | I.D. NUMBER (if applicable)<br>1001234 |   |  |
| <b>3. Contributions of \$100 or More Received *</b>   |  |   |  |   |  |   |  |
| DATE RECEIVED   | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE **   | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) |   | AMOUNT RECEIVED                        | INTEREST RATES                            |  |
| 10/29/XX  | Megan Waters<br>100 Sandburg Drive<br>Playa del Sol, CA 95888                                | <input checked="" type="checkbox"/> IND<br><input type="checkbox"/> COM<br><input type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC | Realtor,<br>Waters Realty  |   | \$2,500                                | If loan, enter interest rate, if any<br>% |  |

### How to Complete Form 496

#### Filer Information

Enter the committee's name, street address, city, state, zip code, and identification number.

#### Date of This Filing

Indicate the date of filing this report.

#### Report Number

Assign a unique number to each late independent expenditure report, such as 1, 2, 3, PR-1, PR-2, PR-3, etc.

#### Amendment to Report Number

If this is an amendment to a report previously filed, assign a new unique identifying number as the Report Number, check the "Amendment" box, and indicate the number of the report being amended.

#### Number of Pages

Note the number of pages included in the report.

### Name of Candidate/Measure Supported or Opposed

Part 1. Disclose the name, office sought and the district number, if applicable, of the candidate supported or opposed in the communication, or the name, ballot number or letter, and jurisdiction of the ballot measure supported or opposed. Check the box indicating whether the candidate or ballot measure was supported or opposed by the independent expenditure.

### Independent Expenditures/Payments Made

Part 2. Disclose the date the committee made the expenditure, a description of the expenditure, e.g., printing, postage, mail house, etc., and the amount of the expenditure.

### Contributions of \$100 or More Received

Part 3. Disclose contributions of \$100 or more received since the closing date of the last campaign statement filed. If no previous campaign statement has been filed, disclose

contributions of \$100 or more received since January 1 of the current calendar year.

Report the date the contribution was received, the full name, street address, city, state, and zip code of the contributor. For each itemized contributor, check the box indicating whether the contributor is an individual, a committee, “other” (such as a business entity), or a political party. (The code “SCC” is applicable only to state candidates and committees.) If the contributor is an individual, provide his or her occupation and employer. Report the amount received, and, if the contribution was a loan, provide the interest rate.

### Amendments

To amend a previously filed late independent expenditure report, file a new Form 496 with the corrected information and the “Amendment” box checked. Or, disclose the required information on a piece of paper identified as an amendment. The “Report Number” of the report being amended should be included. There is no deadline for filing amendments. However, amendments should be filed as soon as practicable. File the amendment in the same location(s) as the original.

### Answering Your Questions

- Q. *Must a committee primarily formed to support a city council candidate file a late independent expenditure report if it spends \$1,000 or more during the last 16 days before the election for a communication supporting the candidate?*
- A. Yes. If the communication was not done at the behest of the candidate, the primarily formed committee must file a late independent expenditure report within 24 hours and a Supplemental Independent Expenditure Report (Form 465) after the election.
- Q. *Is a candidate making an independent expenditure when he or she pays for a*

*communication supporting his or her own candidacy or opposing his or her opponent?*

- A. No. The expenditure is considered promoting one’s own election.

### Late Contribution Report (Form 497)

A Late Contribution Report (Form 497) must be filed if a committee controlled by the candidate or a primarily formed committee:

- Receives a contribution of \$1,000 or more, or multiple contributions aggregating \$1,000 or more, from a single source during the 16 days prior to the candidate’s election; or
- Makes a contribution or contributions totaling \$1,000 or more to a candidate, primarily formed committee, or ballot measure committee during the 16 days before the candidate’s or measure’s election; or
- Makes a contribution or contributions totaling \$1,000 or more to a state or county political party committee during the 16 days before a state election.

This includes monetary and nonmonetary contributions, loans, or a combination of contributions and loans. This also includes a candidate’s personal funds contributed or loaned to his or her own campaign.

**Example** *Fourteen days before the November election, Friends of Megan Waters, a non-controlled committee primarily formed to support Megan Waters for mayor, made a \$500 contribution to her campaign. Ten days before the election, the committee made another \$500 contribution. These two contributions in the aggregate amount to \$1,000. Both the Friends committee and Megan’s committee must file a late contribution report within 24 hours of the second contribution.*

Only contributions made or received during the last 16 days before the election are aggregated to reach the \$1,000 threshold. A contribution made or received before the 16-day late contribution period is not aggregated with a contribution made to the same candidate or committee, or received from the same source, during the late period.

**Example** *Seventeen days before the November election, Megan received a \$600 contribution from an individual contributor. Another \$600 was received from the same contributor four days before the election. Since an aggregate of \$1,000 was **not** received during the last 16 days before the election from this individual, Megan's campaign is not required to file a late contribution report for this contributor.*

**Late contribution reports must be filed in addition to any preelection and semi-annual campaign statements the candidate or committee is required to file.** Late contributions also must be disclosed on the candidate or committee's next campaign statement (Form 450/460).

### When to File

A late contribution is received on the date the candidate, committee, or an agent of the committee obtains possession or control of the check or nonmonetary item which constitutes the contribution. A late contribution is made on the date it is mailed, delivered, or otherwise transmitted to a candidate or committee. Late reports must be filed within the required 24 or 48 hours. The "next business day" extensions for filing periodic reports does not apply to late reports.

### Monetary

The late contribution report must be filed **within 24 hours** of receiving or making a late monetary contribution.

### Nonmonetary

#### Making

Within 24 hours of **making** a late nonmonetary contribution:

- File a late contribution report; and
- Notify the recipient of the value of the late nonmonetary contribution by personal delivery, fax, or guaranteed overnight mail.

#### Receiving

Within 48 hours of **receiving** a late nonmonetary contribution:

- File a late contribution report.

When more than one nonmonetary contribution will be made to or received from a single contributor during the late contribution reporting period, the committee may, on or before the deadline, file a single report covering the entire late contribution period. The report should disclose the total value of nonmonetary contributions that will be made, or, if the actual value of nonmonetary contributions is not known at the time of filing, a good faith estimate of the value that will be contributed or received during the period. If the value of late nonmonetary contributions differs from the estimated amount by 20 percent or more, the estimated report must be amended within 24 hours from the time the committee knows that the estimated value is incorrect.

The committee may use the Late Contribution Report (Form 497) to disclose late contributions made or received, or create its own form, as long as all of the required information is provided.

### Where to File

The late contribution report must be filed by fax, guaranteed overnight delivery service, or personal delivery, at the same locations where the committee files its regular

**Form 497**  
**Page 1**  
**Late**  
**Contributions**  
**Received**

| Late Contribution Report                         |   |  |   | Type or print in ink.<br>Amounts may be rounded to whole dollars.                                |                       | LATE CONTRIBUTION REPORT                          |  |
|--|---|--|---|--|-----------------------|---|--|
| NAME OF FILER<br>Committee to Elect Waters Mayor |   |  | Date of<br>This Filing  | 10/30/20XX   | Date Stamp            | CALIFORNIA<br>FORM <b>497</b>                     |  |
| AREA CODE/PHONE NUMBER<br>555/333-5432           |   | I.D. NUMBER (if applicable)<br>1001234 | Report No. <u>1</u>   |  | For Official Use Only |   |  |
| STREET ADDRESS<br>10 Parkway Plaza               |   |  | <input type="checkbox"/> Amendment<br>to Report No. _____<br>(explain below)  |  |                       |   |  |
| CITY<br>Playa del Sol                            | STATE<br>CA   | ZIP CODE<br>95888                      | No. of Pages <u>1</u>   |  |                       |   |  |
| <b>Late Contribution(s) Received</b>             |   |  |   |  |                       |   |  |
| DATE<br>RECEIVED                                 | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR<br>(IF COMMITTEE, ALSO ENTER I.D. NUMBER) |  | CONTRIBUTOR<br>CODE *   | IF AN INDIVIDUAL,<br>ENTER OCCUPATION AND EMPLOYER<br>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) |                       | AMOUNT<br>RECEIVED                                |  |
| 10/29/XX   | Juan Santos<br>3030 Parkway Plaza<br>Playa del Sol, CA 95888                                    |  | <input checked="" type="checkbox"/> IND<br><input type="checkbox"/> COM<br><input type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC | Accountant,<br>Miller CPA, Inc.  |                       | \$1,500<br><input type="checkbox"/> Check if Loan |  |
| 10/29/XX   | Megan Waters<br>100 Sandburg Street<br>Playa del Sol, CA 95888                                  |  | <input checked="" type="checkbox"/> IND<br><input type="checkbox"/> COM<br><input type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC | Realtor,<br>Waters Realty  |                       | \$2,500<br><input type="checkbox"/> Check if Loan |  |
| Reason for Amendment: _____                      |   |  |   |  |                       |   |  |

campaign statements (e.g., Form 460).  
**Regular mail may not be used.**

- The amount of the contribution and check the box if it was a loan.

### How to Complete Form 497

- Enter the committee's name, street address, city, state, zip code, and identification number.
- Indicate the date of filing this report.
- Assign a unique number to each late contribution report, such as 1, 2, 3, PR-1, PR-2, PR-3, etc.
- If this is an amendment to a report previously filed, assign a new unique identifying number as the Report Number, check the "Amendment" box, and indicate the number of the report being amended.
- For late contributions received, provide:
  - The date received;
  - The contributor's full name and mailing address, the appropriate contributor code, and, if the contributor is an individual, his or her occupation and employer, or, if self-employed, enter the name of his or her business; and

The contributor code should accurately reflect the type of contributor from whom the committee received the contribution. For each itemized contributor, check the box indicating whether the contributor is an individual, a committee, "other" such as a business entity), or a political party. (The code "SCC" is applicable only to state candidates and committees.)



## Chapter 7 — Additional Reports

### Form 497 Page 2 Late Contributions Made

| Late Contribution Report                         |   | Type or print in ink.<br>Amounts may be rounded to whole dollars.         |                        | LATE CONTRIBUTION REPORT                     |  |
|--|---|---|------------------------|--|--|
| NAME OF FILER<br>Committee to Elect Waters Mayor |   | Date of This Filing<br>10/28/20XX   | Date Stamp             | CALIFORNIA FORM 497<br>For Official Use Only |  |
| AREA CODE/PHONE NUMBER<br>555/333-5432           | ID NUMBER (if applicable)<br>1001234  | Report No. 1  |                        |  |  |
| STREET ADDRESS<br>10 Parkway Plaza               |   | <input type="checkbox"/> Amendment to Report No. _____<br>(explain below) |                        |  |  |
| CITY<br>Playa del Sol                            | STATE<br>CA   | ZIP CODE<br>95888   | No. of Pages 1         |  |  |
| <b>Late Contribution(s) Made</b>                 |   |   |                        |  |  |
| DATE MADE  | FULL NAME, STREET ADDRESS AND ZIP CODE OF RECIPIENT<br>(IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CANDIDATE AND OFFICE OR<br>MEASURE AND JURISDICTION                       | AMOUNT OF CONTRIBUTION | DATE OF ELECTION<br>(IF APPLICABLE)          |  |
| 10/27/XX   | Stamos for Senate<br>1742 20th Avenue<br>Playa del Sol, CA 95888<br>ID #1002244               | Renaldo Stamos<br>State Senate, Dist. 41                                  | \$1,000                | 11/7/XX                                      |  |

- For late contributions made, provide:
  - The date made;
  - The recipient's full name and mailing address;
  - Office sought or held (if to a candidate);
  - Ballot measure number or letter and jurisdiction (if to a ballot measure committee); and
  - The amount of the contribution.

### Amendments

To amend a previously filed late contribution report, file a new Form 497 with the corrected information and the "Amendment" box checked. Or, disclose the required information on a piece of paper identified as an amendment. The "Report Number" of the report being amended should be included. There is no deadline for filing amendments. However, amendments should be filed as soon as practicable. File the amendment in the same location(s) as the original.

### Answering Your Questions

*Q. Must a candidate file a late contribution report if, during the last 16 days before the election, she transfers campaign funds from one campaign committee*

*established for a prior office to another campaign committee established for the office for which she is seeking election?*

- A. No. Transfers between or among a candidate's own campaign committees for seeking elective office would be reported as miscellaneous increases to cash, not as contributions.
- Q. *Must a candidate file a late contribution report if, during the last 16 days before the election, he transfers campaign funds from a ballot measure committee he controls to his campaign committee?*
- A. Yes. Both committees must file late contribution reports.
- Q. *Our committee will receive more than one nonmonetary late contribution from the same source during the final 16 days before the election. Rather than file several reports, may our committee file one late contribution report estimating the value of all nonmonetary contributions anticipated to be received from this source during the late contribution reporting period?*
- A. Yes. The committee may make a good faith estimate of the value that will be contributed during the period. File the late contribution report within 48 hours of

the first \$1,000 in nonmonetary contributions received. If the actual value differs from the estimated amount by 20 percent or more, amend the estimated report within 24 hours from the time you determine the correct amount.

- Q. *Is a late contribution report required when a contributor forgives a loan during the late contribution reporting period?*
- A. Yes. A loan of \$1,000 or more which is forgiven during the late contribution reporting period triggers a late contribution report.
- Q. *A candidate has two committees; one for a past election and one for the current election. If the committee for the past election receives \$1,000 or more from a single source in the late contribution period in connection with the current committee's election, does it file a late contribution report?*
- A. Yes.

## Paid Spokesperson Report (Form 511)

A Paid Spokesperson Report (Form 511) is filed by a committee that makes expenditures totaling \$5,000 or more for an individual's appearance in a printed, televised, or radio advertisement, or in a telephone message, to support or oppose the qualification, passage, or defeat of a state or local ballot measure. (The advertisement itself must also disclose that the individual is paid.)

**Example** *In support of a local ballot measure, your committee hires a public relations firm to produce a television advertisement. A local celebrity is paid \$5,000 or more to appear in the ad. Your committee is required to file the Form 511. In addition, the ad must state that the individual was paid to appear.*

**Form 511 must be filed in addition to any preelection or semi-annual campaign statements the candidate or committee is required to file.** Payments made to spokespersons also must be reported on the committee's next campaign statement (Form 450/460).

### When to File

File the Form 511 within 10 days of making or promising payments totaling \$5,000 or more to the individual that will appear in the advertisement(s).

### Where to File

File the Form 511 in the same locations the committee files its campaign statements.

## Chapter 7 — Additional Reports

### Form 511

| Paid Spokesperson Report   |  |  | Date Stamp   | <b>CALIFORNIA 511</b><br>FORM<br>For Official Use Only |
|--|--|--|--|--|
| Type or print in ink. Amounts may be rounded to whole dollars.   |  |  |  |  |
| NAME OF FILER<br>Committee to Elect Waters Mayor   |  | ID # (required)<br>1001234   |  |  |
| AREA CODE/PHONE NUMBER<br>555/333-5432   |  | EMAIL (optional)<br>Brogers@jps.net  | <input type="checkbox"/> Amendment (explain)<br>_____<br>_____ |  |
| STREET ADDRESS<br>10 Parkway Plaza   |  |  |  |  |
| CITY<br>Playa del Sol  | STATE<br>CA  | ZIP CODE<br>95888  |  |  |
| <b>Payments Made</b> Attach additional information on appropriately labeled continuation sheets.   |  |  |  |  |
| DATE   | NAME AND ADDRESS OF SPOKESPERSON                           | BALLOT MEASURE SUPPORTED OR OPPOSED<br>(INCLUDE BALLOT NUMBER OR LETTER AND JURISDICTION)                          | AMOUNT   |  |
| 6/17/XX  | Sam Malone<br>455 Sky Park Drive<br>Century City, CA 90217 | Save The Oceans<br>Prop. 301, State<br><input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose | \$6,000  |  |
| <b>Verification</b><br>I have used all reasonable diligence in preparing this report. I have reviewed the report and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. |  |  |  |  |
| Executed on _____ [Date Required]<br>DATE  |  | By _____ [Signature Required]<br>SIGNATURE OF TREASURER/SPokesperson / TREASURER/FILER                             |  |  |

## How to Complete Form 511

### Filer Information

Provide the committee's full name, street address, city, state, zip code, and telephone number. Also, list the committee's identification number, as provided by the Secretary of State.

### Payments Made

In the first column, provide the date the payments were made, or the services were received, whichever is earlier. In the second column, indicate the name and address of the individual who was paid \$5,000 or more to appear in the advertisement. In the third column, provide the name, number or letter, and jurisdiction of the ballot measure supported or opposed by the advertisement. Finally, in the last column, indicate the total amount of the expenditure.

### Verification

The Form 511 is not considered filed if it is not signed.

## Amendments

To amend a previously filed Form 511, file another Form 511. Check the "Amendment" box and give a brief description of the amendment. Enter the committee's name and address, and disclose the amended information. Like the original, the amendment must be signed and dated. There is no deadline for filing amendments. However, amendments should be filed as soon as practicable. The amendment is filed in the same location(s) the original was filed.

## Special Odd-Year Report

During an odd-numbered year, a special odd-year report must be filed if the committee makes contributions totaling \$10,000 or more to **elected state officers**, their controlled committees, or committees primarily formed to support or oppose any elected state officer during the first and third quarters of the year.

The special odd-year report is filed with the committee's regular filing officer(s) on its regular campaign disclosure form(s) (Forms 450 or 460).

| <u>Period Covered</u>       | <u>Filing Deadline</u> |
|-----------------------------|------------------------|
| January 1 through March 31  | April 30               |
| July 1 through September 30 | October 31             |

**Example** *Between July 1 and September 30 of an odd-numbered year, your committee contributes \$20,000 to the Governor's committee. Your committee is required to file a report covering the period July 1 through September 30, by October 31.*

### What to Report

The form is completed in the same manner as a regular preelection or semi-annual statement (see Chapter 6) and includes all of the committee's activity during the reporting period, not just contributions to elected state officers.

**Example** *County Supervisor Dominic Mesanovic is not on the ballot in 2007. During 2007, he makes four contributions on March 5 to four different assembly officeholders of \$3,000 each. Dominic's committee will file a special odd-year report on a Form 460 covering the period January 1 through March 31. The report is due no later than April 30. Dominic's special odd-year report is filed with his regular filing officers. His next statement, the semi-annual, will cover April 1 through June 30, and is due no later than July 31.*

### Answering Your Questions

- Q. *Are special odd-year reports filed for the second and fourth quarters of an odd-numbered year as well as for the first and third?*
- A. No. Semi-annual reports cover the second and fourth quarters.

Q. *Is there a special form for filing a special odd-year report?*

- A. No. Use the same forms you would ordinarily use to file preelection and semi-annual reports (Form 450 or 460).

## Communications Identifying State Candidates (Form E-530)

A committee that spends \$50,000 or more for a communication disseminated during the 45 days before an election that clearly identifies a state candidate appearing on the ballot, but does not expressly advocate the election or defeat of that candidate, must file electronically with the Secretary of State the Form E-530 within 48 hours of making a payment, or promising to make a payment, of \$50,000 or more. (Contact the Secretary of State's office at (916) 653-6224 for information on electronic filing or go to [www.sos.ca.gov](http://www.sos.ca.gov).) The report must disclose the amount and date of the payment(s), and the name of and office sought by the candidate(s) identified in the communication. In addition, if \$5,000 or more was received or promised from a single source to pay for the communication, the name, address, occupation, and employer (if applicable) of the contributor, as well as the date and amount received or promised, must be reported.

**Form E-530 must be filed in addition to any preelection or semi-annual campaign statements the candidate or committee is required to file.** Payments disclosed on Form E-530 also must be disclosed on the committee's next campaign statement (Form 450 or 460).

The report must be verified by a written "electronic filing declaration" signed, dated, and verified on the same date the report is transmitted to the Secretary of State. This declaration must be retained in the committee's records for five years following the date that the campaign report to which it

## Chapter 7 — Additional Reports

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relates is filed. The statement must include the following language:

“I have used all reasonable diligence in preparing this report and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.”

### Authority

The following Government Code sections and Title 2 regulations provide authority for the preceding information in this chapter:

#### Government Code Sections

- 81004.5 *Reports and Statements; Amendments.*
- 82025 *Expenditure.*
- 82036 *Late Contribution.*
- 82036.5 *Late Independent Expenditure.*
- 82044 *Payment.*
- 84200.3 *Odd-Year Reports in Connection with a Statewide Direct Primary Election Held in March of an Even-Numbered Year.*
- 84200.6 *Special Campaign Statements and Reports.*
- 84202.5 *Supplemental Preelection Statement.*
- 84202.7 *Time for Filing by Committees of Odd-Numbered Year Reports.*
- 84203 *Late Contribution; Reports.*
- 84203.3 *Late In-Kind Contributions.*
- 84203.5 *Supplemental Independent Expenditure Report.*
- 84204 *Late Independent Expenditures; Reports.*
- 84511 *Ballot Measure Ads; Paid Spokesperson Disclosure.*
- 85310 *Communications Identifying State Candidates.*
- 85501 *Prohibition on Independent Expenditures by Candidate Controlled Committees.*

#### Title 2 Regulations

- 18116 *Reports and Statements.*
- 18402.5 *Supplemental Pre-Election Statements.*
- 18421.1 *Disclosure of the Making and Receipt of Contributions.*
- 18425 *Late Contributions; Reports.*
- 18450.11 *Spokesperson Disclosure.*
- 18531.10 *Communications Identifying State Candidates.*
- 18539.2 *Reporting Payments Pursuant to Government Code Section 85310.*